

Good Cause

(Revised 03/29/18)

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Forms

The following forms are referenced in this file:

- 04-284 Child Support Good Cause Notification
- [CW 51](#) Child Support Good Cause Claim

Background

Parents are responsible for the financial support and care of their child in foster care. When a child is placed in out-of-home care, voluntarily or involuntarily, and public assistance money (e.g., CalWORKs, AFDC-FC, ARC) or county general funds are expended for that placement, a suit will be filed against both parents to recover the public assistance payments. This also applies when a child is placed in Juvenile Hall.

The HSS is required to make a referral to the Department of Child Support Services (DCSS). DCSS then has the statutory requirement to establish and enforce child support from the parents for the period of time their child was in foster care.

Policy

The SW is required to assess the family's situation and determine if there is Good Cause for not cooperating with child support enforcement regulations. This assessment will include the determination of:

- whether the payment of support by the parent will pose a barrier to reunification; and
- whether the establishment and enforcement of support is in the best interest of the child.

The SW is responsible for:

- informing the parents they are responsible for their child's placement costs
 - explaining how the payments are recovered
 - filing BCSE documents in the "Placement/Financial" section in the hard file.
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Purpose of Good Cause

Many parents in dependency matters have inadequate financial resources when their child is returned home. The purpose of the Good Cause court order is to facilitate successful reunification by suspending the use of collection methods (e.g. garnishment of wages and other income, suspension of driver's licenses) that can negatively affect families that are working towards reunification or have been reunified.

If Good Cause is determined to exist prior to the referral to DCSS, no referral needs to be made until such time that Good Cause no longer exists.

If family reunification or family maintenance services are being offered to the parent, Good Cause will be applied **unless they are not eligible** due to one of the following criteria:

- Reunification services have been denied,
- Reunification services have been terminated, or
- Making the child support payments will not create a financial hardship for the family.

If the parent is not eligible for Good Cause based on one of the above criteria, the SW is required to send the 04-284 form to Foster Care eligibility staff. The SW will be required to provide eligibility staff with the parents' current address and phone number. Eligibility staff will be responsible for referring the case to DCSS.

Good Cause is parent/child specific. The child support collection process will not stop for another child in the same or another family unit, unless there is a separate determination of Good Cause for that specific circumstance.

FR procedures

When the court terminates reunification services, the court will determine if the services were successful or unsuccessful:

If...	Then...
reunification is successful (child is placed with their parent[s]),	the case will not be referred to DCSS by HHSA as to the reunified parent, if such referral will not be in the best interest of the child.
reunification is unsuccessful,	<ul style="list-style-type: none">• the court will find that Good Cause no longer exists AND order the SW to notify eligibility staff.• the SW is to notify eligibility by sending the 04-284 form to Foster Care clerical staff.• the SW is responsible for providing the eligibility staff with the parents' current address and phone number.• eligibility staff will refer the case to DCSS.
the Juvenile Court orders family reunification services for one parent, but not for the other parent,	<ul style="list-style-type: none">• the non-reunifying parent is not entitled to Good Cause.• the SW is responsible for informing eligibility staff of this information.• notification can be done by phone or by sending the 04-284 form.

Termination of jurisdiction

The [Compromise of Arrears Program](#) (COAP) is available to non-custodial parents (NCP) when dependency jurisdiction is terminated. This program may reduce the past due child support payment owed to the State while the child was in foster care. If the parent qualifies for COAP, the parent will be able to offer a compromise repayment to the State.

Any compromise agreement must take into consideration the needs of the children named in the child support order and the parent’s ability to pay. It must also be in the best interest of the State.

The NCP should apply for COAP through their local child support agency. The San Diego DCSS can be reached through <http://www.sandiegocounty.gov/dcsc/>.

Attorney responsibilities

It is the responsibility of the parent’s attorney to request the Court to make a Good Cause finding. The parent’s attorney should also advise their client about what will happen when Good Cause no longer exists, including the collection methods that may be used (e.g., wage garnishment, suspension of driver’s license).

Eligibility staff

When eligibility staff is notified that Good Cause exists, they are responsible for informing DCSS with a completed CW 51 form.

Alignment with SET

This policy supports SET [Value 1](#) by maintaining open communication with families and collaborating with partner agencies when necessary.
